

Application Serial No. 11/282,391
Response to Office Action dated January 17, 2006
Response dated: July 17, 2006

E-2311

AMENDMENTS TO DRAWINGS

Applicant includes herewith a Replacement Sheet, which includes item number 76 as requested by the Examiner.

REMARKS

Applicant elects, without traverse, to prosecute the invention of Invention II, claim 18.

The specification has been amended to correct the following informalities:

-“photodiodes 55” (page 7, line 5) is changed to --photodiodes 57--.

-“network 74” is changed to -- network 77 --.

The drawings have been amended to show “a combination thereof 76” as described in page 7, line 15 of the specification.

Claim 18 is amended to identify “liquified petroleum gas (LPG)”.

Claim Rejections – 35 U.S.C. §103

Claim 18 stands rejected under 35 U.S.C. §103 (a) as being unpatentable under Thomas et al. (US 2001/0045892) in view of Ross (US 6,564,632). Reconsideration and withdrawal of the rejection is requested in view of the comments mentioned below.

Applicant’s invention is neither taught or disclosed by Thomas or Thomas in view of Ross. Applicant’s invention claims sensing a “liquid level relating to the identified tank”. This differs from “sensing a predetermined near empty condition” as disclosed in Thomas. Applicant’s invention senses liquid level not only a predetermined near empty condition. As Applicant discloses “the present invention improves the inefficiencies that exist in the current state of the art by providing the distributor with near real time conditions of the tank levels throughout the geographic area served by the distributor.” Spec. p.8, line 9-11. Applicant further discloses that “a distributor may ping some or all of the gauges in the service area to ascertain the tank level.” “In response to the request from the user interface or computer, the gauge may sense the tank level and

transmit the identification information and the tank level back to the user interface or computer when some or all the correlating grouping storing or filtering steps are completed.”. “Under this method, the tanks with critical needs can be replenished as well as other tanks along the route with last critical fuel levels.”

For the same reasons, the transmitting and receiving steps are not disclosed, taught or suggested by Thomas because the “liquid level” is transmitted rather than a single “alarm signal” of a “predetermined near empty condition”. Thomas Par. 0049

Similarly, Applicant’s correlating, grouping, storing, and sorting and/or filtering steps were not at all taught or suggested by Thomas. Regarding the correlating and grouping steps, the cited reference at paragraph 0049, lines 4-6, 8-10 states that the “transmitter sends the encoded wireless alarm signal which includes a selected one of a plurality of codes corresponding to zone 2.”

Thomas further discloses the “display then provides methods to inform a responsible individual that the fuel tank in zone 2 is near empty.” Nowhere does it mention the manipulation of data fields as disclosed in those two elements of Applicant’s invention namely, “liquid level”, “the geographical location for the tank” which are correlated, and said information is grouped by its “identifying indicia” and the “liquid level” along with the “geographical location for the tank” in a “unique data array.” No such data manipulation is disclosed whatsoever.

Further, the cited references nowhere disclose “storing the unique data array in a database containing a plurality of data arrays” as claimed by Applicant.

Moreover, the Examiner cites “messages deemed to be stored in memory” as the portion of the cited reference which discloses storing the unique data array in a database containing a plurality

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of data arrays. However, Applicant is not able to find a single reference to "memory" in the cited reference.

Similarly, in addition to the reasons mentioned above, the cited reference nowhere discloses, teaches or suggests "sorting and/or filtering the data arrays within the database by liquid level and/or geographical location to create a sorted and/or filtered database."

Regarding the Ross reference disclosing identifying at least one delivery route through a region encompassing at least one of the geographical locations, Ross fails to teach the identifying step and how such would be accomplished. Moreover, for the reasons mentioned above, Ross, does not teach or suggest the invention disclosed in Applicant's claim 18.

For the reasons mentioned above, Applicant respectfully seeks reconsideration and withdrawal of the outstanding rejection of claim 18.

If a further extension of time is required, the Commissioner is hereby authorized to consider this a request for the appropriate extension of time and to charge Patent Office Deposit Account No. 05-0208 for any additional fees necessary in connection with this response.

Respectfully submitted,
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